

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Patent Application of:  
Noboru SAKAGUCHI et al.

Application No.: 10/581,287

Confirmation No.: 3172

Filed: February 6, 2007

Art Unit: 1655

For: COMPOSITION FOR INHIBITING  
THROMBOSIS

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Examiner: S. C. Hoffman

**REQUEST FOR REFUND**

**MS 16**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I. **REFUND REQUEST**

This is a request for a refund with respect to the charge to Deposit Account No. 02-2448 shown on the statement for the month of January 2010 for the above-identified

- ☒ application ☐ patent  
☒ A copy of monthly statements is enclosed.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	
<input type="checkbox"/> search fee	
<input type="checkbox"/> examination fee	
<input type="checkbox"/> surcharge for filing the basic filing fee or oath/declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	
<input type="checkbox"/> second month	
<input type="checkbox"/> third month	
<input type="checkbox"/> fourth month	
<input type="checkbox"/> fifth month	
<input checked="" type="checkbox"/> excess dependent claims	156.00
<input type="checkbox"/> issue fee	
<input type="checkbox"/> petition fee	
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	
<input type="checkbox"/> second maintenance fee	
<input type="checkbox"/> third maintenance fee	
<input type="checkbox"/> patent maintenance fee surcharge	
<input checked="" type="checkbox"/> Other	
<input checked="" type="checkbox"/> excess independent claims	440.00
<input type="checkbox"/>	
<input type="checkbox"/>	
<b>TOTAL REFUND REQUESTED</b>	<b>\$596.00</b>

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Applicants have previously paid the excess claim fees for both dependent and independent excess claims.

IV. REFUND OF 50% OF FEES

- ☐ enclosing a copy of the written Assertion of Small Entity Status
- ☐ filed herewith
- ☐ filed on

V. MANNER OF REFUND

It is respectfully requested that the excess fee of \$596.00 be credited to Deposit Account No. 02-2448.

VI. REMARKS

Claims 1-4, 17-19, and 21-36 are currently pending in the above application. The total claim count is currently 23 dependent claims and 5 independent claims.

On June 1, 2006, Applicants paid \$2,600.00 for 13 additional independent claims. On December 29, 2006, Applicants paid \$960.00 for 12 additional dependent claims. (See the attached payment vouchers as evidence of payment) Thus, the total count for which claims were previously paid is 32 dependent claims and 16 independent claims.

As customary during patent prosecution, some claims have been cancelled, and new claims have been added. Applicants' Amendment filed December 9, 2009, amended the claim count to the current total of 23 dependent claims and 5 independent claims.

On January 22, 2010, the USPTO improperly charged our deposit account for 3 extra dependent claims and 2 extra independent claims. (See attached copy of deposit account statement) Considering that the current claim count is well below the 32 dependent claims and 16 independent claims previously paid for, Applicants submit that the January 22, 2010, charges were in error and respectfully request that the monies be credited back to the deposit account from which they were charged.

In light of the prosecution history and evidence attached herewith, favorable action on the present Request is respectfully requested.

Dated: **AUG 27 2010**

Respectfully submitted,

By 

Craig A. McRobbie

Registration No.: 42874

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

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703-205-8000

Attachments: Payment Voucher dated June 1, 2006  
Payment Voucher dated December 29, 2006  
Deposit Account Statement dated January 2010

# Voucher Inquiry

## Main Voucher Information

## Defaults

Voucher ID: 169687 Batch ID: SMT  
Transaction Date: 06/01/2006 Document Type: INVOICE  
Vendor ID: PT03 Currency Code: DO U.S. DOLLARS  
Address ID: 1 COMMISSIONER OF PATENTS PATENT AND TRADEMARK OFFICE  
Invoice Number: 060106SMT05 P.O. BOX 70541  
Invoice Date: 06/01/2006 CHICAGO, IL 60673  
Voucher Amount: 3,880.00 Check Number: 90473457  
Check Date: 06/01/2006  
Bank ID: PT0  
Payment Selection:

## Unfinalized Vouchers

Type	Account	Description
1 PR	2200 00	COMMISSIONER OF PATENTS & TDMK

GL Distributed: 3,880.00 Remaining: 0.00

Cost Period: 0606 Cost Batch: 229095

Matter Number	Cost Code	Amount
5 1422-0719PUS1	PAS	250.00
6 1422-0719PUS1	PAC	2,600.00

Costs Required: 3,880.00 Costs Distributed: 3,880.00 Remaining: 0.00

# Voucher Inquiry

## Main Voucher Information

## Defaults

Voucher ID: 183708 Batch ID: KJ  
Transaction Date: 12/29/2006 Document Type:   
Vendor ID: PT04 Currency Code: 00 U.S. DOLLARS  
Address ID: 1 COMMISSIONER OF PATENTS PATENT AND TRADEMARK OFFICE  
Invoice Number: 12/29/2006KJ01 P.O. BOX 70541  
Invoice Date: 12/29/2006 CHICAGO, IL 60673  
Voucher Amount: 960.00 Check Number: 9050146  
Check Date: 12/29/2006  
Bank ID: PT0  
Payment Selection:

## Unfinalized Vouchers

Type	Account	Description
1 PR	2200 00	COMMISSIONER OF PATENTS & TDMK

GL Distributed: 960.00 Remaining: 0.00

Cost Period: 1206 Cost Batch: 280048

Matter Number	Cost Code	Amount
1 1422-0719PUS1	PAC	960.00
2		

Costs Required: 960.00 Costs Distributed: 960.00 Remaining: 0.00



# United States Patent and Trademark Office

Name: BIRCH STEWART  
KOLASCH & BIRCH

Attention:

Street Address 1: 8110 GATEHOUSE ROAD

Street Address 2: SUITE 500 EAST

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City: FALLS CHURCH

State: VA

Postal code: 22042

Country: UNITED STATES

Telephone: 703-205-8090

Fax:

Balance Amount:

## BIRCH, STEWART, KOLASCH & BIRCH, LLP Jan 2010 Deposit Account Reconciliation

Date	Reference No.	Docket Number	PTO Fee Code	BSKB Cost Code	Fee
22-Jan	10581287	1422-0719PUS1	1202	DAC	\$156.00
22-Jan	10581287	1422-0719PUS1	1201	DAC	\$440.00